

Report Date: November 9, 2007

**United States District Court**

for the

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOV 13 2007

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: David Wayne Tennant

Case Number: 2:02CR02121-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 7/23/2003

Type of Supervision: Supervised Release

Original Offense: Distribution of a Controlled  
Substance, Methamphetamine, and Aiding and  
Abetting, 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2

Date Supervision Commenced: 10/31/2007

Original Sentence: Prison - 71 Months; TSR - 48  
Months

Date Supervision Expires: 10/30/2011

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 17 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 18 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**CAUSE**

This modification is requested to provide a urine and alcohol testing condition in this case, which will be in compliance with 9<sup>th</sup> Circuit case law, which requires the Court to specify the number of tests an offender may be subject to in a given time frame. The offender has agreed to the modification and has signed a waiver to this effect, which is enclosed for the Court's review.

It is respectfully requested the Court order the indicated modification.

Prob 12B

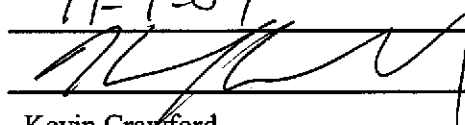
**Re: Tennant, David Wayne**

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

11-9-07  


Kevin Crawford  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

11/13/2007

Date

# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

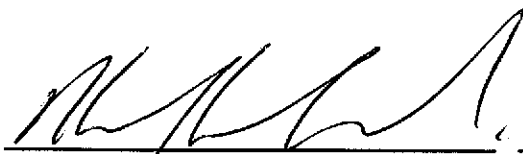
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 17 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 18 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Witness:



Kevin Crawford  
U.S. Probation Officer

Signed:



David Wayne Tennant  
Probationer or Supervised Releasee

November 9, 2007

Date